

**SELECTMEN'S MEETING
Monday, November 1, 2010 7 p.m.**

**H. BERNARD MONAHAN MEMORIAL ROOM
TOWN HALL, 242 UNION STREET
ROCKLAND, MASSACHUSETTS**

**PLEDGE OF ALLEGIANCE
MOS**

The audience, participants and general public should be aware that any and all portions this open meeting may be recorded by audio and video resources. All or some of this meeting may be rebroadcast periodically by WRPS or other outlets. Persons wanting a DVD copy of this meeting should contact WRPS or the BOS office, a small fee will be charged.

OPEN FORUM

~Michael Zupkofska spoke to remind the public of the upcoming Rx take-back day to be held at Town Hall of November 6, 2010. Hours are 9AM to 1PM in the foyer of Town Hall.

1. Open Session Minutes of October 18, 2010

~MOTION to approve by Ms. O'Brien, 2nd by Mr. Kimball passed 5-0.

UNFINISHED BUSINESS

2. Union Street Sidewalk update

Mr. Chiocca informed the BOS a second work crew would be starting soon and should speed up the Union Street project. He indicated the cost of 29 trees to be planted have been sponsored and 3 benches also. The public was informed of weekly meetings regarding the project on Wednesdays at 10 AM if anyone has a question or suggestion regarding the project.

3. Report on meeting with Joint Water Commissioners

The BOS were informed the Abington –Rockland Water Commissioners will be meeting on November 8, 2010 if BOS members wished to attend.

4. LNR Host Community Amendment update

Attorney Clifford, TA Chiocca, Mr. Kimball and Mr. Johnson have met with representatives of LNR. Mr. Johnson and Mr. Kimball informed the BOS and public that meetings are still ongoing. LNR representatives have been very willing to meet and there will be additional meetings.

NEW BUSINESS

5. Annual License Renewals

Common Victualler – NEW MANAGER MUST BE PRESENT

- 1. D'Angelo's Sandwich Shop – 144 Market Street – Manager Paul Farrar**

~MOTION to Table by Ms. O'Brien, 2nd by Mr. Minahan passed 5-0.

Thrift/Consignment

- 1. Rose's Thrift Shop – 145 Union Street**

~MOTION to approve provided all tax payments are current by Ms. O'Brien, 2nd by Mr. Minahan passed 5-0.

Automatic Amusement License

- 1. Players Sports Bar & Restaurant, Inc. – 86 VFW Drive**
- 2. Hotel Thomas – 167 Union Street**

~MOTION to approve provided all tax payments are current by Ms. O'Brien, 2nd by Mr. Minahan passed 5-0.

Common Victualler License

- 1. Players Sports Bar & Restaurant, Inc. – 86 VFW Drive**
- 2. Oriental Express – 8 W. Water Street**
- 3. Harmon Golf Club – 168 Concord Street**
- 4. Burger King #3708 – 1333 Hingham Street**
- 5. Burger King #4528 – 157 Market Street-TABLED**
- 6. 999 Triple Nine Thai Restaurant – 100 Market Street**
- 7. Hotel Thomas – 167 Union Street**
- 8. Trueman's Catering – 440 Union Street**
- 9. South Shore Racquet & Fitness – 406 VFW Drive**
- 10. 99 Restaurant – 2 Accord Park Drive**

~MOTION to table and invite item #5 Burger King of 157 Market Street to the next meeting by Mr. Johnson, 2nd by Ms. O'Brien passed 5-0.

~MOTION to approve all but Burger King Market Street, provided all tax payments are current by Ms. O'Brien, 2nd by Mr. Minahan passed 5-0.

Entertainment

- 1. Players Sports Bar & Restaurant, Inc.-86 VFW Drive**
- 2. Hotel Thomas – 167 Union Street**
- 3. 99 Restaurant – 2 Accord Park Drive**

~MOTION to approve provided all tax payments are current by Ms. O'Brien, 2nd by Mr. Minahan passed 5-0.

Class II License

- 1. Advanced Transmission & Clutch – 511 Plain Street**
- 2. Supreme Muffler & Brake, Inc. – 218 VFW Drive**
- 3. Trust Petroleum – 104 Market Street**
- 4. WCS Automotive – 1 Bishop Lane**
- 5. M&S Auto Sales – 258 Union Street**

~MOTION to approve provided all tax payments are current by Ms. O'Brien, 2nd by Mr. Minahan passed 5-0.

Innholder License

- 1. Hotel Thomas – 167 Union Street**

~MOTION to approve provided all tax payments are current by Ms. O'Brien, 2nd by Mr. Minahan passed 5-0.

Lodging Licenses

- 1. Triangle House – 167 West Water Street**

~MOTION to approve provided all tax payments are current by Ms. O'Brien, 2nd by Mr. Minahan passed 5-0.

Taxi/Livery Licenses

- 1. Robbins Livery – 115 Hartsuff Street**

~MOTION to approve provided all tax payments are current by Ms. O'Brien, 2nd by Mr. Minahan passed 5-0.

6. Disclosure Special Municipal Employee-Michael Corbett

Ms. O'Brien explained that Planning Board members are considered "Special Municipal Employees" this would permit Mr. Corbett to potentially work on the new school project. Mr. Corbett has recused himself from any and all matters regarding the new school project which have gone before the Planning Board. Mr. Corbett with the advice of the Commonwealth's State Ethics Commission is seeking an approval of an exemption as required by Massachusetts General Law Chapter 268A Sections 20(c) and 20(d).

~MOTION to approve the exemption by Ms. O'Brien, 2nd by Mr. Johnson passed 5-0.

7. Constable Application-Kevin McKenna

~MOTION to approve by Mr. Johnson 2nd by Ms. O'Brien passed 5-0.

8. Annual South Shore Vo-Tech Toll Booth request for Saturday May 7, 2011.

~MOTION to approve by Mr. Johnson, 2nd by Ms. O'Brien passed 5-0.

9. Lana' Breakfast Shop-early opening request November 26, 2010.

~MOTION to approve by Mr. Johnson, 2nd Ms. O'Brien passed 5-0.

Item 11 taken out of order

11. Rent Control Agreement

~Attorney Clifford outlined the proposed rent control agreement to the BOS. The agreement would put in place a CPI formula for determining rent at both Mobile Home Parks.

The agreement provides a ten year solution to the ongoing issues regarding litigation and rent increases at both parks.

~Charles Squarito a tenent member of the Rent Control Board from Hillcrest spoke to support the agreement.

~Estelle Stoddard a tenent member for Leisurewoods of the Rent Control Board also spoke in favor of the agreement.

~Mike Reed Hometown America representative and Rent Control Board member spoke to support the agreement.

~Judy Hartigan Rockland appointee to the Rent Control Board spoke as the outsider to the tenants and owners. She endorsed the proposed agreement as a fair compromise.

~Henry Dunker spoke to oppose the agreement and indicated he has filed an appeal to the proposed agreement. He believes some of the proposed changes exceed the provisions of the original by-law.

~Mr. Minahan pointed out Rockland has spent a lot of funds to defend the Rent Control Board and this agreement represents a saving in litigation costs and a 10 year solution to ongoing problems caused by rent control litigation. A strong majority of the residents support this proposal.

~Harvey Smith President of the Leisurewoods Homeowners Association spoke to support the proposed agreement and that the Board of Directors unanimously supports this proposal.

~Barbara Jordan a Leisurewoods Park resident supports this proposal and believes the vast majority of her fellow residents also support the agreement.

~Andy Triantaffelow also spoke regarding the costs of the Rent Control Board that was not suppose to cost the town anything.

~Mr. Johnson spoke regarding the clause for liquidated damages.

~Attorney John Clifford spoke to clarify questions about legal costs and remedies available to the Town to prevent a \$100,000.00 cost if a change was made.

MOTION to approve the proposed agreement by Mr. Minahan, 2nd Mr. Johnson passed 5-0.

Mr. Chaffee thanked Attorney Clifford for all of his efforts to resolve the Rent Control issues and reach an agreement.

10. 8 PM Public Hearing- FY11 CDBG Grant application planning

MOTION to open the hearing by Mr. Minahan, 2nd by Ms. O'Brien passed 5-0.

Wayne Darragh spoke regarding the filing process for the CDBG funds. Mr. Darragh outlined the categories and scoring procedures for the applicant communities.

Mr. Darragh reviewed possible projects and priorities for Rockland's FY11 application. Re-pointing the bricks at the Community Center, housing for sober women, and realigning the target area boundaries were among the proposed items.

~MOTION to approve the extension of the target area by Mr. Minahan, 2nd by Ms. O'Brien passed 5-0.

~MOTION to approve the drafting of FY11 CDBG application by Mr. Minahan 2nd by Ms. O'Brien passed 5-0.

~MOTION to continue the hearing until November 15, 2010 at 7:30 PM by Ms. O'Brien, 2nd by Mr. Minahan passed 5-0.

11. Rent Control Agreement (previously taken out of order)

TOWN ADMINISTRATOR'S REPORT & CORRESPONDENCE

No Items

SELECTMAN'S COMMENTS

Comments and opinions expressed by individual members do not necessarily reflect the views of all of the BOS and are the opinions and comments of only the individual member.

Mr. Kimball

- ~Urge everyone to vote in the State elections on Tuesday.**
- ~Congratulated Rockland High School Football team on a successful season. The team is 8-0 so far.**
- ~West Water Street is being repaved.**
- ~Reminded everyone the Stroll is at the end of the month.**

Mr. Minahan

- ~Thought Mr. Kimball did a great job and hit all the points.**

Mr. Johnson

- ~Congratulated the Rockland High Football Team.**
- ~Discussed the 40B question on Tuesday's ballot.**
- ~Enjoyed the groundbreaking ceremony for the new school project.**

Ms. O'Brien

~Thought the groundbreaking ceremony was a good event.

~Urged attendance at the fundraising meat raffle for the Stroll at Players on Sunday Nov 7, 2010.

Mr. Chaffee

~Groundbreaking was a great day for Rockland.

~The School Building Committee is meeting again on Tuesday.

~The Rockland High Football team is doing great and urged attendance.

30. EXECUTIVE SESSION for negotiations with union and non Union personnel not to reconvene.

MOTION by Ms. O'Brien, 2nd by Mr. Minahan passed by Roll Call vote 5-0.

Allan R. Chiocca
Town Administrator

Deborah A. O'Brien, Vice Chairman
Rockland Board of Selectmen

Note: Open Meetings are recorded by local cable WRPS and are considered the official record of the BOS meetings